

Message Text

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12

ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 CIAE-00 PM-04 H-02 INR-07

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

ACDA-05 TRSE-00 SAJ-01 AID-05 IGA-01 OMB-01 EB-07

CG-00 DOTE-00 CAB-02 COME-00 FAA-00 OC-05 CCO-00 /086 R

DRAFTED BY L/EUR:KSGUDGEON:DLD

APPROVED BY EUR/SE:WLEAGLETON

ISA/FMRA - CDR.GRUNAWALT

OGC - JALLEN

SAFGC - MR. BADGER

NAVJAG - CAPT.FRUCHTERMAN

EUR/SE - RDELABARRE

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R 211755Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA

INFO SECDEF

EUCOM

CINCUSAFE

C O N F I D E N T I A L STATE 198867

E.O. 11652: GDS

TAGS: MARR, TU

SUBJECT: GOT RESTRICTIONS ON U.S. MILITARY ACTIVITIES:
CUSTOMS CIRCULAR

REFS: A) ANKARA 6205; B) ANKARA 6244; C) ANKARA 6371;
D) ANKARA 6206

1. DEPT AND DOD IN ACCORD WITH EMBASSY POSITIONS AND
ARGUMENTS REF B. HOWEVER, WE BELIEVE CONTINUED VITALITY
OF RESERVATION OF RIGHTS UNDER BILATERAL AGREEMENTS EX-
PRESSED IN OUR NOTE OF JULY 27 MUST BE REINFORCED AS APPRO-
PRIATE WITH FORMAL WRITTEN OBJECTIONS FOR RECORD TO MEA-
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SURES SUCH AS CUSTOMS CIRCULAR. DRAWING ON JULY 27 NOTE,
DEPT AND DOD SUGGEST FOLLOWING NOTE WHICH ECHOES
EMBASSY ORAL REPRESENTATIONS.

2. BEGIN TEXT: THE EMBASSY ETC....AND HAS THE HONOR TO REFER TO THE CUSTOMS CIRCULAR DELIVERED 8 AUGUST, AND TO SUBSEQUENT DISCUSSIONS WITH MINISTRY OF FOREIGN AFFAIRS OFFICIALS. AS COMMUNICATED IN OUR NOTE OF JULY 27, THE USG CANNOT ACCEPT THE CONCLUSION OF THE GOVERNMENT OF TURKEY THAT THE DEFENSE COOPERATION AGREEMENT OF JULY 3,

1969 AND RELATED AGREEMENTS ARE VOID OF LEGAL EFFECT OR THAT UNITED STATES FACILITIES AND ACTIVITIES UNDER THESE AGREEMENTS MAY BE PLACED IN A PROVISIONAL STATUS INCONSISTENT WITH THOSE AGREEMENTS BY THE UNILATERAL ACTION OF THE GOVERNMENT OF TURKEY. FURTHERMORE, AS THAT IMPLIES, THE USG DOES NOT CONCUR IN THE VIEW OF THE GOT THAT THE U.S. HAS FAILED TO PERFORM ITS COMMITMENTS UNDER THESE AGREEMENTS. THE GOVERNMENT OF THE UNITED STATES RESERVES ALL ITS RIGHTS UNDER THE AGREEMENTS IN FORCE GOVERNING OUR SECURITY RELATIONSHIP AND UNDER INTERNATIONAL LAW.

-- THE UNILATERAL RESTRICTIONS OF THE GOVERNMENT OF TURKEY ON IMPORTATIONS AND THE OPERATION OF MILITARY EXCHANGES, COMMISSARIES AND MILITARY POST OFFICES CREATE SERIOUS HARDSHIPS FOR UNITED STATES FORCES PERSONNEL AND MAY HAVE CONSEQUENCES WHICH NEITHER GOVERNMENT DESIRES. WE ARE CONFIDENT THAT THE GOT HAS NO DESIRE TO CAUSE PERSONAL HARDSHIP TO UNITED STATES FORCES PERSONNEL WHO ARE BLAMELESS FOR THE PRESENT DIFFICULTIES CONFRONTING OUR TWO GOVERNMENTS. THE USG URGES THE GOT TO RECONSIDER THESE MEASURES.

-- THE USG RECALLS THE ASSURANCES OF OFFICIALS OF THE MFA THAT THE GOT DOES NOT QUESTION THE CONTINUED APPLICABILITY OF THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY REGARDING THE STATUS OF THEIR FORCES WITH RESPECT TO UNITED STATES FORCES PRESENT IN TURKEY AND THE IMPORTATION OF EQUIPMENT, PROVISIONS, SUPPLIES, AND OTHER GOODS FOR THEIR USE. THE USG ANTICIPATES THAT

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THE PROVISIONS OF THE NATO SOFA WILL BE SCRUPULOUSLY OBSERVED AND APPLIED TO ALL U.S. MILITARY PERSONNEL, INCLUDING JUSMMAT PERSONNEL, AND THAT THE GOT WILL OFFER ALL APPROPRIATE ASSISTANCE IN RESOLVING LOCALIZED DIFFICULTIES WHICH MAY BE ENCOUNTERED IN THIS REGARD.

-- THE USG NOTES THAT THE EXPRESSED INTENTION OF THE GOT TO UNILATERALLY IMPOSE DUTIES ON IMPORTED CONSTRUCTION MATERIALS FOR U.S. INSTALLATIONS WOULD CONTRAVENE PARAGRAPH 4, ARTICLE XI OF THE NATO SOFA AS WELL AS THE PROVISIONS OF THE 1954 TAX RELIEF AGREEMENT, AND WOULD BE INCONSISTENT WITH THE ASSURANCES OF OFFICIALS OF THE MFA THAT THE NATO SOFA WILL CONTINUE TO BE FULLY RESPECT-

ED BY THE GOT.

-- (COMPLIMENTARY CLOSE). END TEXT. MAW

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Message Attributes

Automatic Decaptioning: X
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY ASSISTANCE, MILITARY BASE CLOSINGS, ARMS EMBARGO
Control Number: n/a
Copy: SINGLE
Draft Date: 21 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: woolflhd
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE198867
Document Source: ADS
Document Unique ID: 00
Drafter: L/EUR:KSGUDGEON:DLD
Enclosure: n/a
Executive Order: 11652 GDS
Errors: n/a
Film Number: D750290-0681
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t197508101/baaaasqz.tel
Line Count: 114
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: woolflhd
Review Comment: n/a
Review Content Flags:
Review Date: 20 AUG 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 AUG 2003 by ElyME>; APPROVED <09 DEC 2003 by woolflhd>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: MARR, TU, US
To: ANKARA INFO SECDEF
EUCOM
CINCUSAFE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006